



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE LOWER MANHATTAN DISASTER
SITE
LITIGATION

Case No.: 21 MC 102(AKH)

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THIS DOCUMENT APPLIES TO ALL
LOWER MANHATTAN DISASTER SITE
LITIGATION

**STIPULATION OF DISCONTINUANCE
AS TO DEFENDANT, GRUBB & ELLIS
MANAGEMENT SERVICES, INC.,
ONLY
FOR THE CASES LISTED IN THE
ATTACHED "EXHIBIT A"**

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IT IS HEREBY STIPULATED AND AGREED by and between the undersigned for the parties in the cases listed in the attached exhibit, that whereas no party herein is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action and based on the representation of the within defendant, and to the extent of Plaintiff(s) can so Stipulate that each claim, cross-claim and counter-claim asserted by and against defendant *GRUBB & ELLIS MANAGEMENT SERVICES, INC.*, only as to the claims being made as to the premises located at 99 Church Street, New York, New York for the cases listed in the attached exhibit shall be and the same hereby are discontinued hereby are discontinued without prejudice without costs to any party as against the other.

IT IS FURTHER STIPULATED AND AGREED that should evidence be discovered throughout the course of the litigation which determines that *GRUBB & ELLIS MANAGEMENT SERVICES, INC.*, are proper parties to this suit, that plaintiff(s) may reinstitute the action without regard to the applicable Statute of Limitations, assuming said original action was timely commenced, and in such instance Defendant shall not assert Statute of Limitation as a defense.

This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York
October 2, 2012

McGIVNEY & KLUGER, P.C.
Attorneys for Defendant
GRUBB & ELLIS MANAGEMENT
SERVICES, INC.

By: 

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Attorneys for Plaintiffs

By: 

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So Ordered: 
10/4/12

EXHIBIT A

PLAINTIFF'S NAME	INDEX NUMBER	PLAINTIFF'S COUNSEL
Collado, Yudelka and Jose Collado	08 CV 9718	Cannata
Rapel, Waldemar and Krystlyna Rapel	06 CV 01520	Cannata
Puello, Maria	07 CV 11294	Cannata